

**VERIFIED STATEMENT (DECLARATION)****CLAIMING SMALL ENTITY STATUS****(37 CFR 1.9(f) AND 1.27(c))****SMALL BUSINESS CONCERN****SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.  
United States Patent Rights****ATTORNEY DOCKET NO.****0792-0119**

Applicant or Patentee: Vernon R. ROTHSCHILD et al.

Serial or Patent No.: 08/753,929

Filed or Issued: December 3, 1996

For: NATURAL FOOT ORTHOSIS AND METHOD OF MANUFACTURING  
THE SAME

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Rothschild's Orthopedics

ADDRESS OF CONCERN 300 Mill Street, Units C and D  
Salisbury, Maryland 21801

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled NATURAL FOOT ORTHOSIS AND METHOD OF MANUFACTURING THE SAME

by inventor(s) Vernon R. Rothschild, John R. Fox, Russell J.  
Rothschild and Kelly A. Rothschild

described in

the specification filed herewith

application serial no. December 3, 1996, filed

patent no. \_\_\_\_\_, issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Vernon R. Rothschild

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 300 Mill Street, Units C and D

Salisbury, Maryland 21801

SIGNED: Vernon R. Rothschild

DATE: 12/17/96



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- 1 -

Docket No. 0792-0119

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# COMPLETED

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 14, 1997.

Rose M. Eichtel  
Rose M. Eichtel

**SUBMISSION OF VERIFIED STATEMENT OF SMALL ENTITY  
STATUS AND REQUEST FOR REFUND OF EXCESS FEES UNDER  
• 37 CFR §1.26 AND §1.28(a)**

## Honorable Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Applicant submits herewith a properly executed verified statement of small entity status as an independent inventor.

On December 3, 1996, the above-captioned application was filed together with a filing fee of \$770.00. The appropriate filing fee for a small

entity is \$385.00. Therefore, applicant's payment of \$770.00 as the filing fee was \$385.00 in excess of the filing fee required by law.

In accordance with the terms of 37 CFR §1.26 and 37 CFR §1.28(a), applicant hereby seeks a refund of the \$385.00 paid in excess of the fee required by law.

Please credit the refund to Deposit Account No. 19-2380 (0792-0119). A duplicate copy of this request is enclosed.

Respectfully submitted,



Donald R. Studebaker  
Reg. No. 32,815

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